

House File 2524 - Introduced

HOUSE FILE _____
BY COMMITTEE ON VETERANS
AFFAIRS

(SUCCESSOR TO HF 2261)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to veterans affairs by modifying training
2 requirements, requiring executive directors and administrators
3 to provide minimum hours of service in each county, specifying
4 executive director, administrator, and employee duties,
5 creating a county commission of veteran affairs training
6 program, creating a county commissions of veteran affairs
7 fund, providing an appropriation, and providing an effective
8 date.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
10 TLSB 5259HV 82
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1 1 Section 1. Section 35A.5, subsection 9, Code Supplement
1 2 2007, is amended to read as follows:
1 3 9. After consultation with the commission, provide
1 4 certification training to executive directors and
1 5 administrators of county commissions of veteran affairs
1 6 pursuant to section 35B.6. Training provided under this
1 7 subsection shall include accreditation by the national
1 8 association of county veteran service officers. Training
1 9 provided by the department shall be certified by the national
1 10 association of county veteran service officers and, in
1 11 addition, shall ensure that each executive director and
1 12 administrator is proficient in the use of electronic mail,
1 13 general computer use, and use of the internet to access
1 14 information regarding facilities, benefits, and services
1 15 available to veterans and their families. The department may
1 16 adopt rules in accordance with chapter 17A to provide for
1 17 training of county veteran affairs executive directors and
1 18 administrators.
1 19 Sec. 2. NEW SECTION. 35A.16 COUNTY COMMISSIONS OF
1 20 VETERAN AFFAIRS FUND == APPROPRIATION.
1 21 1. a. A county commissions of veteran affairs fund is
1 22 created within the state treasury under the control of the
1 23 department. The fund shall consist of appropriations made to
1 24 the fund and any other moneys available to and obtained or
1 25 accepted by the department from the federal government or
1 26 private sources for deposit in the fund.
1 27 b. There is appropriated from the general fund of the
1 28 state to the department, for the fiscal year beginning July 1,
1 29 2009, and for each subsequent fiscal year, the sum of one
1 30 million dollars to be credited to the county commissions of
1 31 veteran affairs fund.
1 32 2. Notwithstanding section 12C.7, interest or earnings on
1 33 moneys in the county commissions of veteran affairs fund shall
1 34 be credited to the county commissions of veteran affairs fund.
1 35 Notwithstanding section 8.33, moneys remaining in the county
2 1 commissions of veteran affairs fund at the end of a fiscal
2 2 year shall not revert to the general fund of the state.
2 3 3. If sufficient moneys are available, the department
2 4 shall annually allocate ten thousand dollars to each county
2 5 commission of veteran affairs, or to each county sharing the
2 6 services of an executive director or administrator pursuant to
2 7 chapter 28E, to be used for the employment of an executive
2 8 director or administrator pursuant to section 35B.6.
2 9 4. A county commission of veteran affairs training program
2 10 account shall be established within the county commissions of
2 11 veteran affairs fund. Any moneys remaining in the fund after

2 12 the allocations under subsection 3 shall be credited to the
2 13 account and used by the department to fund the county
2 14 commission of veteran affairs training program under section
2 15 35A.17.

2 16 Sec. 3. NEW SECTION. 35A.17 COUNTY COMMISSION OF VETERAN
2 17 AFFAIRS TRAINING PROGRAM.

2 18 1. A county commission of veteran affairs training program
2 19 is created under the control of the department for the purpose
2 20 of providing training, certification, and accreditation
2 21 opportunities for county commissions of veteran affairs
2 22 executive directors, administrators, and employees.

2 23 2. The department may receive and accept donations,
2 24 grants, gifts, and contributions from any public or private
2 25 source for the purpose of providing training opportunities
2 26 under this section. All funds received by the department
2 27 shall be deposited in the county commission of veteran affairs
2 28 training program account established in section 35A.16,
2 29 subsection 4.

2 30 3. a. The department shall use funds deposited in the
2 31 county commission of veteran affairs training program account
2 32 to organize statewide or regional training conferences and
2 33 provide training, certification, and accreditation

2 34 opportunities for county commissions of veteran affairs
2 35 executive directors, administrators, and employees, consistent
3 1 with the requirements of section 35A.5, subsection 9.

3 2 b. During the fiscal year beginning July 1, 2009, the
3 3 department shall use account funds to arrange for an
3 4 accreditation course by the national association of county
3 5 veteran service officers to take place within the state.

3 6 c. The department may use account funds to hire an agency,
3 7 organization, or other entity to provide training or
3 8 educational programming, reimburse county executive directors,
3 9 administrators, and employees for transportation costs related
3 10 to a conference or program, or both.

3 11 4. The department shall adopt rules, pursuant to chapter
3 12 17A, deemed necessary for the administration of the county
3 13 commission of veteran affairs training program.

3 14 Sec. 4. Section 35B.6, subsection 1, Code 2007, is amended
3 15 to read as follows:

3 16 1. a. The members of the commission shall qualify by
3 17 taking the usual oath of office, and give bond in the sum of
3 18 five hundred dollars each, conditioned for the faithful
3 19 discharge of their duties with sureties to be approved by the
3 20 county auditor. The commission shall organize by the
3 21 selection of one of their members as chairperson, and one as
3 22 secretary. The commission, subject to the approval of the
3 23 board of supervisors, shall ~~have power to~~ employ an executive
3 24 director ~~or administrator and shall have the power to employ~~
3 25 other necessary ~~employees when needed, including~~
3 26 administrative or clerical assistants ~~when needed, the. The~~
3 27 compensation of such employees ~~to shall~~ be fixed by the board
3 28 of supervisors, but no member of the commission shall be so
3 29 employed. The executive director must possess the same
3 30 qualifications as provided in section 35B.3 for commission
3 31 members. However, this qualification requirement shall not
3 32 apply to a person employed as an executive director prior to
3 33 July 1, 1989.

3 34 b. ~~The commission may employ an administrator in lieu of~~
3 35 ~~an executive director. Administrators shall not be required~~
4 1 ~~to meet all the qualifications provided in section 35B.3 for~~
4 2 ~~commissioners. An administrator may hold another position~~
4 3 ~~within the county or other government entity while serving as~~
4 4 ~~an administrator only if such position does not adversely~~
4 5 ~~affect the administrator's duties under this chapter.~~

4 6 b. c. Upon the employment of an executive director ~~or~~
4 7 ~~administrator~~, the executive director ~~or administrator~~ shall
4 8 complete a course of initial certification training provided
4 9 by the department of veterans affairs pursuant to section
4 10 35A.5. ~~If an executive director or administrator fails to~~
4 11 ~~obtain certification within one year of being employed, the~~
4 12 ~~executive director or administrator shall be removed from~~
4 13 ~~office. If an executive director is not appointed, a A~~
4 14 ~~commissioner or a clerical assistant shall other commission~~
4 15 ~~employee may also complete the course of certification~~

4 16 training. The department shall issue the executive director,
4 17 ~~administrator~~, commissioner, or ~~clerical assistant employee~~ a
4 18 certificate of training after completion of the ~~initial~~
4 19 certification training course. To maintain ~~annual~~
4 20 certification, the executive director, ~~administrator~~,
4 21 commissioner, or ~~clerical assistant employee~~ shall ~~attend one~~
4 22 ~~department training course each year satisfy the continuing~~

4 23 education requirements established by the national association
4 24 of county veteran service officers. Failure of an executive
4 25 director or administrator to maintain certification may shall
4 26 be cause for removal from office. The expenses of training
4 27 the executive director or administrator shall be paid from the
4 28 appropriation authorized in section 35B.14.
4 29 c. The duties of the executive director, administrator,
4 30 and employees shall include all of the following:

4 31 (1) Inform members of the armed forces, veterans, and
4 32 their dependents of all federal, state, and local laws enacted
4 33 for their benefit.

4 34 (2) Assist all residents of the state who served in the
4 35 armed forces of the United States and their relatives,
5 1 beneficiaries, and dependents in receiving from the United
5 2 States and this state any and all compensation, pensions,
5 3 hospitalization, insurance, education, employment pay and
5 4 gratuities, loan guarantees, or any other aid or benefit to
5 5 which they may be entitled under any law.

5 6 d. The department of veterans affairs or county veteran
5 7 affairs offices shall not charge for any service provided to
5 8 any individual.

5 9 Sec. 5. Section 35B.6, subsection 2, Code 2007, is amended
5 10 to read as follows:

5 11 2. Two or more boards of supervisors may agree, pursuant
5 12 to chapter 28E, to share the services of an executive director
5 13 or administrator. The agreement shall provide for the
5 14 establishment of a commission of veteran affairs office in
5 15 each of the counties participating in the agreement.

5 16 Sec. 6. Section 35B.6, subsection 4, Code 2007, is amended
5 17 by striking the subsection and inserting in lieu thereof the
5 18 following:

5 19 4. a. Each county commission of veteran affairs shall
5 20 maintain an office in a building owned, operated, or leased by
5 21 the county.

5 22 b. An executive director or administrator employed
5 23 pursuant to subsection 1 shall provide veterans services for
5 24 the following minimum number of hours each week:

5 25 (1) For a county with a population of thirty thousand or
5 26 less, no fewer than twenty hours per week.

5 27 (2) For a county with a population of more than thirty
5 28 thousand and less than sixty thousand, no fewer than thirty
5 29 hours per week.

5 30 (3) For a county with a population of sixty thousand or
5 31 more, no fewer than forty hours per week.

5 32 c. Counties sharing the services of an executive director
5 33 or administrator shall consider the aggregate population of
5 34 such counties when determining the number of hours of service
5 35 required under paragraph "b". The number of hours shall be

6 1 allocated between the counties in the proportion that the
6 2 population of each county bears to the aggregate population.

6 3 d. The hours that the office established under paragraph
6 4 "a", is open shall be posted in a prominent position outside
6 5 the office.

6 6 Sec. 7. Section 35B.14, Code 2007, is amended to read as
6 7 follows:

6 8 35B.14 COUNTY APPROPRIATION.

6 9 1. The board of supervisors of each county may appropriate
6 10 moneys for training an executive director or administrator as
6 11 provided for in section 35B.6, the food, clothing, shelter,
6 12 utilities, medical benefits, and funeral expenses of indigent
6 13 veterans, as defined in section 35.1, and their indigent
6 14 spouses, surviving spouses, and minor children not over
6 15 eighteen years of age, having a legal residence in the county.

6 16 2. The appropriation shall be expended by the joint action
6 17 and control of the board of supervisors and the county
6 18 commission of veteran affairs.

6 19 Sec. 8. STATE MANDATE FUNDING SPECIFIED. In accordance
6 20 with section 25B.2, subsection 3, the state cost of requiring
6 21 compliance with any state mandate included in this Act shall
6 22 be moneys appropriated in this Act and shall be deemed to meet
6 23 all the state funding-related requirements of section 25B.2,
6 24 subsection 3, and no specific state funding shall be necessary
6 25 for the full implementation of this Act by and enforcement of
6 26 this Act against all affected political subdivisions.

6 27 Sec. 9. EFFECTIVE DATE. This Act takes effect on July 1,
6 28 2009.

6 29 EXPLANATION

6 30 This bill requires each county commission of veteran
6 31 affairs to maintain an office in the county and to employ an
6 32 executive director. The bill allows a county commission of
6 33 veteran affairs to employ an administrator in lieu of an

6 34 executive director. The bill also requires each executive
6 35 director or administrator to meet minimum hours of service
7 1 each week. The bill provides different levels of service
7 2 hours that are dependent on county population. The bill also
7 3 provides that required service hours be allocated by
7 4 population for counties sharing an executive director or
7 5 administrator. The bill specifies the duties of an executive
7 6 director or an administrator, including assisting veterans and
7 7 their families in accessing available veterans benefits.

7 8 The bill requires the training provided to executive
7 9 directors and administrators by the department of veterans
7 10 affairs to be certified by the national association of county
7 11 veteran service officers and that it ensures that each trainee
7 12 is proficient in electronic mail use, general computer use,
7 13 and use of the internet to access information on veterans
7 14 benefits, services, and facilities. The bill also requires
7 15 training provided to executive directors and administrators to
7 16 include accreditation by the national association of county
7 17 veteran service officers. If an executive director or
7 18 administrator fails to acquire or fails to maintain
7 19 certification by the department, the executive director or
7 20 administrator shall be removed from office.

7 21 The bill creates a county commissions of veteran affairs
7 22 fund under the control of the department of veterans affairs.
7 23 Beginning July 1, 2009, and for each subsequent fiscal year,
7 24 \$1 million is appropriated from the general fund to the county
7 25 commissions of veteran affairs fund. The bill provides that
7 26 if sufficient moneys are available in the fund, the veterans
7 27 affairs commission shall allocate \$10,000 to each county to be
7 28 used for the employment of an executive director or
7 29 administrator.

7 30 The bill further provides that any moneys remaining in the
7 31 fund after allocation to the counties shall be deposited in an
7 32 account for use in the county commission of veteran affairs
7 33 training program established under new Code section 35A.17.
7 34 The training program requires the department of veterans
7 35 affairs to provide training, certification, and accreditation
8 1 programs for county commissions of veteran affairs executive
8 2 directors, administrators, and employees, including
8 3 accreditation sessions by the national association of county
8 4 veteran service officers.

8 5 The bill may include a state mandate as defined in Code
8 6 section 25B.3. The bill includes a specification of the
8 7 amount of the state cost of any state mandate included in the
8 8 bill. The specification is deemed to constitute state
8 9 compliance with any state mandate funding-related requirements
8 10 of Code section 25B.2. The inclusion of this specification is
8 11 intended to reinstate the requirement of political
8 12 subdivisions to comply with any state mandates included in the
8 13 bill.

8 14 The bill takes effect on July 1, 2009.

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